

Minutes
Village of Orchard Park
Zoning Board of Appeals
October 28, 2020

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, October 28, 2020 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 6:56 p.m. and stated, "If anyone appearing before the Board is related thru family, financial or business relationship with any member of the Board, it is incumbent upon him to make it known under the New York State Law and the Village Code of Ethics."

Members present:

Chairman, Steve Snyder
Scott Hartung
Kevin Moran
Gary Phillips
Bill Riter

Others present:

Lauren Kaczor, Trustee

Christine Hanavan, Secretary
Matthew Hartung, Deputy Mayor

Members absent:

Alternate David Obrochta

The Chairman asked for approval of the minutes of the previous meeting held on August 26, 2020. Gary Phillips made the motion to approve the minutes of the previous meeting seconded by Bill Riter. On the question:

SCOTT HARTUNG	YES
KEVIN MORAN	YES
GARY PHILLIPS	YES
WILLIAM RITER	YES

Chairman Snyder then stated, "All persons making an appeal before this Board will be heard in accordance with the applicable laws of the State of New York and the Village of Orchard Park. Any person aggrieved by any decision of the Board of Appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal, specifying the grounds of the illegality. Such petition must be presented to the court within 30 days after filing of the decision in the office of the Village Clerk."

Chairman Snyder asked if site inspections for all cases presented were made by all Board members: On the question:

SCOTT HARTUNG	YES
KEVIN MORAN	YES

GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES

ZBA Application

Thomas Heusinger
55 School Street
Orchard Park, NY 14127
SBL #173.05-1-60.1

Applicant is requesting a variance to Municipal Code Section 225 – Attachment 2, Schedule II R-2 Residential

Applicant is requesting permission to construct a covered porch with a 21' front yard setback. The code stipulates that the minimum front yard setback must be 28'.

Applicant is requesting a variance to Municipal Code Section 225-11, C1 Open Space

Applicant is requesting permission to construct an addition at 55 School Street in a required yard. The code stipulates that every part of a required yard must be open to the sky unobstructed.

APPEARANCE: Misty and Tom Heusinger

DISCUSSION: The applicants explained they are requesting permission to add a covered porch to the front of their house to add value as well as esthetics. They intend to keep the integrity of the home and plan to add major landscaping and replace the flagstone on the property.

Bill Riter made a motion, seconded by Kevin Moran in favor of granting permission to construct a covered porch with a 21' front yard setback at 55 School Street SBL #173.05-1-60.1 with the stipulation that the porch will never be enclosed.

On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
KEVIN MORAN	YES

GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

ZBA Application
OP4200 LLC
2100 Union Rd.
West Seneca, NY 14224
SBL #162.17-1-5

Applicant is requesting a variance to Municipal Code Section 225 – Attachment 2, Schedule II B-1 Business.

Applicant is requesting permission to erect a building addition at 4200 N Buffalo St. for Buffalo Rehab Group zero (0) feet from the lot line. The code stipulates a minimum side yard setback of 10 feet is required.

APPEARANCE: Jim Bammel, Bammel Architects
Jeff Woodrich

DISCUSSION: Jim Bammel explained that the business has grown and the applicant to maximizing the use of the property. They will not use the Byrd House property at all. The roof will be flat on the new addition. All snow will be removed and not stored on the property.

Steve Bray made a motion, seconded by Scott Hartung in favor of granting permission to erect a building addition zero (0) feet from the lot line at 4200 N Buffalo St. for Buffalo Rehab Group SBL #162.17-1-5. with the stipulation that all snow must be removed and no snow storage will be allowed on site. The permit will not be issued until a final construction plan is submitted and approved.

On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
KEVIN MORAN	YES
GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

Moved by Gary Phillips seconded by Kevin Moran to adjourn at 7:17 p.m.

On the question:

THE VOTE ON THE MOTION BEING:

SCOTT HARTUNG	YES
KEVIN MORAN	YES
GARY PHILLIPS	YES
BILL RITER	YES
STEVE SNYDER	YES

THE MOTION WAS PASSED.

Respectfully submitted,

Christine M. Hanavan
Secretary

Chairman's Approval:

Date: _____